

ORIGINAL

FILED

MAY 8 - 2018

CLERK  
United States Bankruptcy Court  
San Jose, California

ANGELA KHOUNG  
4654 Smoke River Court  
San Jose, CA 95136  
Telephone: (408) 781-6732

In Propria Persona

THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

In re:

Angela Khoung  
Debtor.

Case No. 18-50767

DECLARATION OF JAMES B. LITTLE  
TO SET ASIDE ORDER TO DISMISS  
BANKRUPTCY CASE NO. 18-50767

I, JAMES B. LITTLE, declare:

1. I am a licensed attorney duly admitted to practice before all state and federal courts in the State of California.

2. I represented Angela Khoung, the debtor who is also appearing before this court in propria personal, in several civil matters in California state courts. I do not, and did not, represent her in this matter before the bankruptcy court, but I did assist her in the preparation of the following documents: Summary of Your Assets and Liabilities and Certain Statistical Information (Official Form 106Sum), Schedule H: Your Codebtors (Official Form 106H), and the List o Creditors.

3. I have a distinct assured recollection of the facts that these documents were prepared, and I was given an original and two copies of each of the aforesaid documents to file with the Court. I proceeded to the court with Debtor Angela Khoung on April 18, 2018 to file the said documents. The originals and the copies were all given to the clerk of the Bankruptcy Court. The clerk returned to me an endorsed filed copy of the List of Creditors stamped "Filed April 18 2018," along with a

1 copy of each of Forms 106Sum and Form 106H. Upon receiving the List of Creditors stamped  
2 "Filed April 18 2018" and the other two documents together, we assumed that this meant that all  
3 three documents were filed together as one set. An endorsed filed-copy of List of Creditors is  
4 attached hereto as Exhibit A and herewith incorporated by reference.

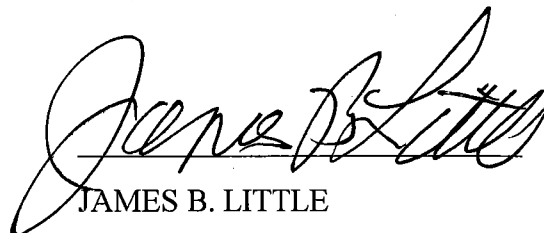
5 4. Several days later, Debtor Angela Khoung called me and said that she had received a letter  
6 from the Bankruptcy Court. Because she does not speak English well, I had my paralegal Stacy  
7 research PACER to see what may be Ms. Khoung's concern. The PACER file stated that this case  
8 had been ordered dismissed because the documents required had not been submitted to the  
9 Bankruptcy Court as required. This was shocking news when in fact I had accompanied Ms. Khoung  
10 to the Bankruptcy Court to file the missing documents, had given the documents to the clerk, and  
11 had received back the List of Creditors showing a filing of April 18, 2018, and had also received  
12 back one copy each of the other two documents.

13 5. On May 3, 2018, I along with my paralegal went to the Bankruptcy Court to find out what  
14 had happened. The clerk on duty took the papersw and went back to see if the unfled documents  
15 may have been mislaid by a clerk. She could not find the other two documents, and then proceeded  
16 to file Official Form 106H and Official Form 106 Sum on May 3, 2018, copies of which are attached  
17 hereto as Exhibit B and herewith incorporated by reference. The clerk also informed me that the  
18 case would close on May 8, 2018.

19 6. On behalf of the Debtor, she requests that the dismissal be set aside.

20 I declare under the penalty of perjury under the laws of the United States of America that the  
21 foregoing is true and correct.

22  
23 Dated: May 7, 2018

24  
25  
26  
27  
28  
  
JAMES B. LITTLE

**EXHIBIT A**

**FILED**

APR 18 2018

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA**

United States Bankruptcy Court  
San Jose, California

In re:

Case No.: 18-50767 SLJ 7

Angela Khoung


\_\_\_\_\_  
Debtor(s) /

**CREDITOR MATRIX COVER SHEET**

I declare that the attached Creditor Mailing Matrix, consisting of 1 sheets, contains the correct, complete and current names and addresses of all priority, secured and unsecured creditors listed in debtor's filing and that this matrix conforms with the Clerk's promulgated requirements.

DATED:

4-18-2018

  
\_\_\_\_\_  
of Debtor's Attorney or Pro Per Debtor

Signature

Angela Khoung, In Pro Per

U.S. Treasury  
Internal Revenue Service  
PO Box 7346  
Philadelphia, PA 19101

Anh Nguyen  
c/o John T. Nguyen, Esq.  
1625 The Alameda, Suite 800  
San Jose, CA 95126

Linda (incorrectly written on the Petition as "Lita")  
(Address Unknown)

Choerm  
(Address Unknown)

**EXHIBIT B**

ORIGINAL

Fill in this information to identify your case:

Debtor 1 ANGELA KHOUNG  
First Name Middle Name Last Name  
Debtor 2 \_\_\_\_\_  
(Spouse, if filing) First Name Middle Name Last Name  
United States Bankruptcy Court for the: Northern District of California  
Case number 18-50767  
(if known)

FILED

MAY 03 2018

CLERK  
United States Bankruptcy Court  
San Jose, California  
Check if this is an  
amended filing

Official Form 106H

**Schedule H: Your Codebtors**

12/15

Codebtors are people or entities who are also liable for any debts you may have. Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, copy the Additional Page, fill it out, and number the entries in the boxes on the left. Attach the Additional Page to this page. On the top of any Additional Pages, write your name and case number (if known). Answer every question.

1. Do you have any codebtors? (If you are filing a joint case, do not list either spouse as a codebtor.)

☐ No

☒ Yes

2. Within the last 8 years, have you lived in a community property state or territory? (Community property states and territories include Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, and Wisconsin.)

☐ No. Go to line 3.

☒ Yes. Did your spouse, former spouse, or legal equivalent live with you at the time?

☒ No

☐ Yes. In which community state or territory did you live? \_\_\_\_\_ Fill in the name and current address of that person.

Name of your spouse, former spouse, or legal equivalent

Number Street

City State ZIP Code

3. In Column 1, list all of your codebtors. Do not include your spouse as a codebtor if your spouse is filing with you. List the person shown in line 2 again as a codebtor only if that person is a guarantor or cosigner. Make sure you have listed the creditor on Schedule D (Official Form 106D), Schedule E/F (Official Form 106E/F), or Schedule G (Official Form 106G). Use Schedule D, Schedule E/F, or Schedule G to fill out Column 2.

Column 1: Your codebtor

Column 2: The creditor to whom you owe the debt

Check all schedules that apply:

3.1

Sean Jared Larsen

Name

4674 Smoke River Court

Number Street

San Jose,

CA

95136

City

State

ZIP Code

☐ Schedule D, line \_\_\_\_\_

☒ Schedule E/F, line 4.1

☐ Schedule G, line \_\_\_\_\_

3.2

Monitana Ung

Name

4674 Smoke River Court

Number Street

San Jose

CA

95136

City

State

ZIP Code

☐ Schedule D, line \_\_\_\_\_

☒ Schedule E/F, line 4.1

☐ Schedule G, line \_\_\_\_\_

3.3

Name

Number Street

City

State

ZIP Code

☐ Schedule D, line \_\_\_\_\_

☐ Schedule E/F, line \_\_\_\_\_

☐ Schedule G, line \_\_\_\_\_

## Fill in this information to identify your case:

Debtor 1 ANGELA KHOUNG  
First Name Middle Name Last Name

Debtor 2  
 (Spouse, if filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: Northern District of California

Case number 18-50767  
(If known)

FILED

MAY 08 2018

CLERK  
 United States Bankruptcy Court  
 San Jose, California  
 if this is an amended filing

## Official Form 106Sum

## Summary of Your Assets and Liabilities and Certain Statistical Information

12/15

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. Fill out all of your schedules first; then complete the information on this form. If you are filing amended schedules after you file your original forms, you must fill out a new *Summary* and check the box at the top of this page.

## Part 1: Summarize Your Assets

Your assets  
Value of what you own

1. *Schedule A/B: Property* (Official Form 106A/B)
- 1a. Copy line 55, Total real estate, from *Schedule A/B* ..... \$ 0.00
- 1b. Copy line 62, Total personal property, from *Schedule A/B* ..... \$ 1,119.00
- 1c. Copy line 63, Total of all property on *Schedule A/B* ..... \$ 1,119.00

## Part 2: Summarize Your Liabilities

Your liabilities  
Amount you owe

2. *Schedule D: Creditors Who Have Claims Secured by Property* (Official Form 106D)
- 2a. Copy the total you listed in Column A, *Amount of claim*, at the bottom of the last page of Part 1 of *Schedule D* ..... \$ 0.00
3. *Schedule E/F: Creditors Who Have Unsecured Claims* (Official Form 106E/F)
- 3a. Copy the total claims from Part 1 (priority unsecured claims) from line 6e of *Schedule E/F* ..... \$ 0.00
- 3b. Copy the total claims from Part 2 (nonpriority unsecured claims) from line 6j of *Schedule E/F* ..... + \$
- Your total liabilities \$ 378,990.00

## Part 3: Summarize Your Income and Expenses

4. *Schedule I: Your Income* (Official Form 106I)
- Copy your combined monthly income from line 12 of *Schedule I* ..... \$ 900.00
5. *Schedule J: Your Expenses* (Official Form 106J)
- Copy your monthly expenses from line 22c of *Schedule J* ..... \$ 552.00



Debtor 1

ANGELA KHOUNG

First Name

Middle Name

Last Name

Case number (if known) 18-50767

**Part 4: Answer These Questions for Administrative and Statistical Records****6. Are you filing for bankruptcy under Chapters 7, 11, or 13?**

- ☐ No. You have nothing to report on this part of the form. Check this box and submit this form to the court with your other schedules.
- ☒ Yes

**7. What kind of debt do you have?**

- ☐ Your debts are primarily consumer debts. *Consumer debts* are those "incurred by an individual primarily for a personal, family, or household purpose." 11 U.S.C. § 101(8). Fill out lines 8-9g for statistical purposes. 28 U.S.C. § 159.
- ☒ Your debts are not primarily consumer debts. You have nothing to report on this part of the form. Check this box and submit this form to the court with your other schedules.

**8. From the Statement of Your Current Monthly Income:** Copy your total current monthly income from Official Form 122A-1 Line 11; OR, Form 122B Line 11; OR, Form 122C-1 Line 14.

\$ 900.00

**9. Copy the following special categories of claims from Part 4, line 6 of Schedule E/F.****Total claim**

From Part 4 on Schedule E/F, copy the following:

9a. Domestic support obligations (Copy line 6a.)	\$ 0.00
9b. Taxes and certain other debts you owe the government. (Copy line 6b.)	\$ 0.00
9c. Claims for death or personal injury while you were intoxicated. (Copy line 6c.)	\$ 0.00
9d. Student loans. (Copy line 6f.)	\$ 0.00
9e. Obligations arising out of a separation agreement or divorce that you did not report as priority claims. (Copy line 6g.)	\$ 0.00
9f. Debts to pension or profit-sharing plans, and other similar debts. (Copy line 6h.)	+ \$ 0.00
9g. Total. Add lines 9a through 9f.	\$ 0.00